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SUPERFUND DIV.  
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June 16, 2015

**Via Overnight Delivery**

Mr. Kenneth Talton, Enforcement Officer  
Superfund Enforcement Assessment Section (6SF-TE)  
U.S. EPA, Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733

**Re: SBA Shipyard Superfund Site, Jennings, Jefferson Davis Parish, Louisiana;  
CERCLIS #: LAD008434185;  
Response of Shell Oil Company to EPA's CERCLA 104(e) Information Request**

Dear Mr. Talton:

This letter, with attachment, is the response of Shell Oil Company ("Shell") to the above-captioned Information Request dated May 15, 2015 and received by this office on May 22, 2015.

As an initial matter, Shell has attempted in good faith to respond to the Information Request to the extent that it seeks information authorized by 42 U.S.C. §9604(e)(2) but objects generally to the Information Request on the following grounds:

1. Shell objects generally to the Information Request on the ground that it is overly broad, seeking information not authorized by statute. Section 104(e)(2) of CERCLA, 42 U.S.C. §9604(e)(2) identifies three categories of information that a duly designated representative of the President may seek from any person to the unilateral administrative process authorized by that provision. Some of the information sought by this Information Request is outside those categories.
2. Shell objects generally to the instructions, definitions and questions contained in the Information Request on the grounds that they are irrelevant, vague, unduly burdensome, unreasonably broad, and an abuse of discretion, or arbitrary and capricious.



Although Shell has attempted to respond in good faith to the Information Request, the responses set forth herein are based upon information currently available to Shell. Shell reserves the right to amend the responses set forth herein if additional or different information is subsequently discovered.

To briefly summarize this response, Shell has conducted a good faith search for information responsive to this request and has not identified any documents or persons with knowledge concerning the SBA Shipyard Superfund Site, located at 9040 Castex Landing Road, Jennings, Jefferson Davis Parish, Louisiana.

Please see Attachment 1 for Shell's response to this Information Request.

Very truly yours,

A handwritten signature in black ink, reading "Kimberly Lesniak". The signature is written in a cursive, flowing style with a large, sweeping flourish at the end.

Kimberly Lesniak  
Senior Legal Counsel



**ATTACHMENT 1**

**ENCLOSURE 3**

**SBA SHIPYARD SUPERFUND SITE  
JENNINGS, JEFFERSON PARISH, LOUISIANA**

**INFORMATION REQUEST**

**QUESTIONS**

**GENERAL INFORMATION CONCERNING RESPONDENT**

**QUESTION NUMBER 1:**

1. Provide the full legal name and mailing address of the Respondent.

**RESPONSE TO QUESTION NUMBER 1:**

Shell Oil Company  
One Shell Plaza  
910 Louisiana St.  
Houston, TX 77002

**QUESTION NUMBER 2:**

2. Identify and provide the full name, title, business address, and business telephone number for each person answering these questions on behalf of the Respondent, and each person(s) that was relied on or consulted with in the preparation of the answer.

**RESPONSE TO QUESTION NUMBER 2:**

Kimberly Lesniak  
Senior Legal Counsel  
Shell Oil Company  
One Shell Plaza  
910 Louisiana St., Room 44090C  
Houston, TX 77002  
713-241-5403



Sherrie Davenport  
Paralegal  
Shell Oil Company  
One Shell Plaza  
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Houston, TX 77002  
713-241-3938

Pat Brown  
Records Administrator  
Shell Oil Company  
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Dan Kirk  
Principle Program Manager  
Shell Oil Products US  
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Suzanne Womack  
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Shell Oil Products US  
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James Scalli  
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Christopher Flanagan  
Manager Maritime Operations  
Shell Trading US Company  
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713-230-2992



Kevin Petit  
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Don Hall  
Senior Specialist-Production  
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Sharon Zeno  
Assistant  
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504-465-7083

Brian McLarnon  
Marine Technical Advisor  
Shell Trading US Company  
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Norco, LA 70079  
504-465-6145

Kevin Poche  
Environmental Team Leader  
Shell Chemical Company  
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Dan McQuillen  
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Shell Global Solutions US Inc.  
Westhollow Technology Center  
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281-544-6865



Freddie Hurst  
Convent Site Lead  
Motiva Enterprises LLC  
Hwy. 44 & 70  
Convent, LA 70723  
225-474-7264

Al Deamer  
Retiree  
Motiva Enterprises LLC  
15536 River Road  
Norco, LA 70079  
Please contact through Kimberly Lesniak, Legal Counsel (713-241-5403)

**QUESTION NUMBER 3:**

3. If Respondent wishes to designate an individual for all future correspondence concerning this Site, including legal notices, please provide the individual's name, address, and telephone number.

**RESPONSE TO QUESTION NUMBER 3:**

Kimberly Lesniak  
Senior Legal Counsel  
Shell Oil Company  
One Shell Plaza  
910 Louisiana St., Room 44090C  
Houston, TX 77002  
713-241-5403

**QUESTION NUMBER 4:**

4. If Respondent is a business, please give a brief description of the nature of the business.

**RESPONSE TO QUESTION NUMBER 4:**

Shell Oil Company is a large corporation with numerous past and present operations in exploration and production, transportation, and refining of crude oil and natural gas, and downstream distribution and marketing of oil and petrochemical products from facilities located throughout the United States.



## **REQUESTS FOR DOCUMENTS**

Please identify (see Definitions) and provide copies of all documents (see Definitions) consulted, examined, or referred to in the preparation of the answers to the above questions including all subparts of each question, or that contain information responsive to the question.

### **QUESTION NUMBER 1:**

1. Please identify any dealings or transactions you have or had with SBA Shipyards, Inc., Louis Smailhall, Suzanne Smailhall, LEEVAC Shipyards, Inc., n/k/a Bunge Street Properties, LLC, and LEEVAC Industries, LLC n/k/a LEEVAC Shipyards Jennings, LLC. Please provide a brief description of the nature of those dealings or transactions and the timeframes during which those dealings and transactions occurred.
  - a. Specifically, provide dates of when you sent or moved something to the Site and the name and contact information of the person who made such arrangements.

### **RESPONSE TO QUESTION NUMBERS 1 & 1a:**

Shell has not identified any documents or individuals with knowledge which would indicate any dealings or transactions with SBA Shipyards, Inc., Louis Smailhall, Suzanne Smailhall, LEEVAC Shipyards, Inc., n/k/a Bunge Street Properties, LLC, or LEEVAC Industries, LLC n/k/a LEEVAC Shipyards Jennings, LLC.

In addition, no information was found relative to the document sent by the EPA which EPA contends purports to show Shell's involvement with the Site. A former Shell employee familiar with the maritime industry suggested that this document may be some sort of record of re-certification of a barge for continued operation. He stated that the barge was possibly owned/operated by National Marine Service (due to the "NMS No. 2600" listed on the document).

### **QUESTION NUMBER 2:**

2. Please provide any and all documents in your possession that are related to the dealings and transactions detailed in Question 1 above.

### **RESPONSE TO QUESTION NUMBER 2:**

None identified. See Response to Question Numbers 1 & 1a.

### **QUESTION NUMBER 3:**



3. If any of the dealings or transactions described involve hazardous materials, please include a detailed listing of such materials, the materials data safety sheet, dates of transaction, and any quantity associated with those materials.

**RESPONSE TO QUESTION NUMBER 3:**

Not applicable.

**QUESTION NUMBER 4:**

4. Please describe in detail any involvement you had with the 2002 RCRA Interim Measures/Removal Action (IM/RA) at the Site. Please provide any and all documents in your possession related to the IM/RA, including, but not limited to, a listing of the parties involved in the IM/RA.

**RESPONSE TO QUESTION NUMBER 4:**

No Shell involvement with the 2002 RCRA IM/RA at the Site has been identified.

**QUESTION NUMBER 5:**

5. Please provide the names, title, and contract information of anyone, including, but not limited to, employees, who may possess knowledge and information regarding this Site and/or your own business operations.

**RESPONSE TO QUESTION NUMBER 5:**

No individuals were identified who may possess knowledge and information regarding this Site. See RESPONSE TO QUESTION NUMBER 2 for individuals consulted with knowledge/information regarding our own business operations.

**QUESTION NUMBER 6:**

6. Identify all of the individuals who currently have and those who have had responsibility for the Respondent's environmental matters (e.g., responsibility for the disposal, treatment, storage, recycling, or sale of the Respondent's wastes). This information shall include, but not be limited to, the following:
  - a. Each individual's job title and duties (including the dates performing those



duties),

- b. The supervisors for such duties,
- c. The current position or the date of the individual's resignation, and
- d. The nature of the information possessed by such individuals concerning the Respondent's waste management.
- e. The contact information of the individual

**RESPONSE TO QUESTION NUMBER 6a-e:**

In addition to the General Objections set forth above, Shell objects to this question as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Shell is a large corporation with numerous past and present operations throughout the United States. Identifying all individuals who currently have, and those who have had, responsibility for Shell's environmental matters at all of Shell's facilities, including those that have no nexus to the SBA Shipyard Site, is not feasible due to the long history of existence/operations and number of Shell locations. If the EPA has a question regarding individuals responsible for environmental matters at a specified Shell facility, please advise and we will respond as appropriate.

**QUESTION NUMBER 7:**

- 7. Does the Respondent's company or business have a permit(s) issued under RCRA? If so, provide a copy (ies) of the permit(s).

**RESPONSE TO QUESTION NUMBER 7:**

In addition to the General Objections set forth above, Shell objects to this question as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Shell Oil Company is a large corporation with numerous past and present operations in exploration and production, transportation, refining of crude and natural gas, and downstream distribution marketing of oil and chemical products from facilities located throughout the United States for which EPA may have issued RCRA permits. If the EPA has a question regarding RCRA permits issued to a specified Shell facility with a nexus to the Site, please advise and we will respond as appropriate.

**QUESTION NUMBER 8:**



8. Provide all Resource Conservation and Recovery Act (RCRA) Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.

**RESPONSE TO QUESTION NUMBER 8:**

In addition to the General Objections set forth above, Shell objects to this question as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Shell Oil Company is a large corporation with numerous past and present operations in exploration and production, transportation, refining of crude and natural gas, and downstream distribution marketing of oil and chemical products from facilities located throughout the United States for which EPA may have issued RCRA Identification Numbers. If the EPA has a question regarding RCRA Identification Numbers issued to a specified Shell facility with a nexus to the Site, please advise and we will respond as appropriate.

**QUESTION NUMBER 9:**

9. Does the Respondent's company or business have, or has it ever had, a permit(s) under the hazardous waste laws of the State? If so, provide a copy(ies) of the permit(s).

**RESPONSE TO QUESTION NUMBER 9:**

In addition to the General Objections set forth above, Shell objects to this question as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Shell Oil Company is a large corporation with numerous past and present operations in exploration and production, transportation, refining of crude and natural gas, and downstream distribution marketing of oil and chemical products from facilities located throughout the United States, including the State of Louisiana. Permits for these facilities may have been obtained under State hazardous waste laws. If the EPA has a question regarding permits obtained for a specified Shell facility with a nexus to the Site, please advise and we will respond as appropriate.

**QUESTION NUMBER 10:**

10. Does the Respondent's company or business have an EPA Identification Number, or an identification number supplied by the State? If so, supply any such identification number(s).

**RESPONSE TO QUESTION NUMBER 10:**

In addition to the General Objections set forth above, Shell objects to this question as overbroad in scope, unauthorized by law to the extent it is overbroad, and



unduly burdensome. Shell Oil Company is a large corporation with numerous past and present operations in exploration and production, transportation, refining of crude and natural gas, and downstream distribution marketing of oil and chemical products from facilities located throughout the United States for which EPA or the State may have issued Identification Numbers. If the EPA has a question regarding Identification Numbers issued to a specified Shell facility with a nexus to the Site, please advise and we will respond as appropriate.

**QUESTION NUMBER 11:**

11. Identify all federal, state, and local offices and agencies to which the Respondent has sent or filed hazardous substance or hazardous waste information and state the years during which such information was sent or filed.

**RESPONSE TO QUESTION NUMBER 11:**

No Shell facility has been identified as having a connection to the SBA Shipyard Site. Therefore, Shell specifically objects to this request as vague, overly broad, unreasonably burdensome and beyond statutory authority. If the EPA has a specific question regarding federal, state, local offices or agencies to which Shell has sent or filed hazardous substance or hazardous waste information relative to a specified Shell facility and the years during which such information was sent, please advise and we will respond as appropriate.

**QUESTION NUMBER 12:**

12. Provide copies of all documents created or kept by the Respondent related to the nature, quantity, or source of the materials taken to the Site.

**RESPONSE TO QUESTION NUMBER 12:**

None identified. See RESPONSE TO QUESTION NUMBERS 1 & 1a.

**QUESTION NUMBER 13:**

13. If barges were placed or disposed at the Site, provide the following information:
  - a. Where they were placed or disposed, and
  - b. Their condition when placed or disposed.

**RESPONSE TO QUESTION NUMBER 13:**

Not applicable. See RESPONSE TO QUESTION NUMBERS 1&1a.



**QUESTION NUMBER 14:**

14. Identify other individuals and entities that the Respondent has reason to believe may have taken or sent materials to the Site. Of these individuals and entities, specify which were observed by the Respondent at the Site and indicate when those observations were made. Provide all of the information known by the Respondent regarding the customers of these entities or individuals.

**RESPONSE TO QUESTION NUMBER 14:**

None identified.